

**Frost
Brown Todd**^{LLC}
ATTORNEYS

KENTUCKY · OHIO · INDIANA · TENNESSEE · WEST VIRGINIA

Roger R. Cowden
(859) 244-3236
RCOWDEN@FBTLAW.COM

November 24, 2009

RECEIVED

NOV 24 2009

**PUBLIC SERVICE
COMMISSION**

Mr. Jeff Derouen
Executive Director
Public Service Commission
P. O. Box 615
211 Sower Boulevard
Frankfort, Kentucky 40602-0615

Re: PSC Case No. 2009-00317

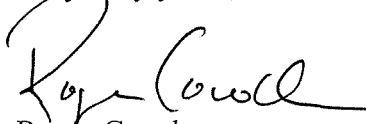
Dear Mr. Derouen:

Comes East Kentucky Power Cooperative, Inc. ("EKPC"), by counsel, and in compliance with the Commission's Order entered herein dated November 19, 2009, affirmatively states that there are no material issues of facts in this action that would warrant a hearing and this case can be submitted for adjudication on the existing record before the Commission without a hearing.

However, EKPC needs to advise the Commission that it has filed an Application for Rehearing in Case No. 2009-00039 requesting modification of the Commission's Order dated November 6, 2009. In the Application for Rehearing, EKPC requested that the Commission modify its finding on Page 5 of the November 6, 2009 Order to accurately reflect how long the two-month "true-up" adjustment would be in effect and to include on Page 8 an ordering paragraph authorizing the two-month "true-up" adjustment. This matter regarding the two-month "true-up" adjustment has implications in Case No. 2009-00317.

Please find enclosed for filing with the Commission an original and ten copies of this document.

Very truly yours,


Roger Cowden